

Davis & Gilbert LLP  
MARTIN GARBUS  
1740 Broadway  
New York, NY 10019  
Telephone: (212) 468-4800  
Facsimile: (212) 468-4888  
Email: [mgarbus@dglaw.com](mailto:mgarbus@dglaw.com)

Attorneys for Plaintiff DAVIS & GILBERT LLP

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DAVIS & GILBERT LLP,

Plaintiff,

vs.

SAMANTHA RONSON,

Defendant.

Index No. 07-cv-11162-JSR

**NOTICE OF DISMISSAL WITHOUT  
PREJUDICE OF COMPLAINT (FRCP  
RULE 41(a)(1))**

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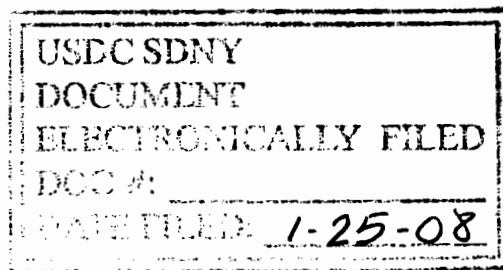
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**TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

Plaintiff DAVIS & GILBERT LLP ("D&G") files this Notice of Dismissal, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, with reference to the following:

A. On November 13, 2007, D&G filed the Complaint (the "Complaint") in this action in the Supreme Court of the State of New York, County of New York (Index No. 603759-2007) (the "State Court Action").

B. On December 11, 2007, Defendant SAMANTHA RONSON ("Ronson") filed a Notice of Removal of the State Court Action, pursuant to 28 U.S.C. § 1441(b), thereby removing the State Court Action to this Court.

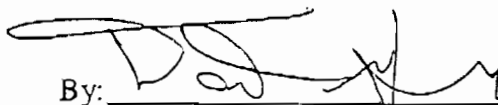
C. Ronson has not yet filed an answer or motion for summary judgment in this action.

D. A facsimile of this Notice may be filed with the Court as if it were an original.

Accordingly, D&G, through its counsel of record, hereby dismisses this action without prejudice, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

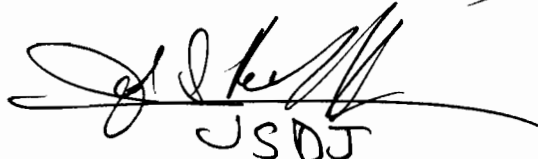
Dated: January 21, 2008

DAVIS & GILBERT LLP

By: 

Martin Garbus  
Attorney for Plaintiff DAVIS & GILBERT  
LLP

SO ORDERED

  
JSDJ

1-23-08